

Docket No. CRD-903

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Frank Butaric, et al.

Serial No. : 10/041,124

Art Unit: 3738

Filed

: January 8, 2002

Examiner: C. L. Miller

For

: EXTENSION PROSTHESIS FOR AN ARTERIAL REPAIR

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231 on

JULY 17, 2003
(Date of Deposit)

Carl J. Evens
(Name of applicant, assignee, or Registered Representative)

(Signature)

July (7, 2003
(Date of Signature)

Commissioner for Patents Washington, D.C. 20231

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on September 23, 2002.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in $\S1.491$, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with [] the first or second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10-/ the fee of \$180.00 as set forth

In accordance with §1.97(c), this Information

Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

in §1.17(p).

 \boxtimes Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10-П the fee of \$180.00 as set forth 0750/ in $\S1.17(p)$. In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p). \boxtimes Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith. Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT: In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith. If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request. There are no listed references which are not in the English language.

☐ The relevance of those listed references which are					
not in the English language is as follows:					
Attached are copies of search report(s) from					
corresponding patent application(s), which are listed on the					
attached Submission Under MPEP 609 D.					
Copies of the references listed on the search					
report(s) are included except for those previously cited in an					
IDS mailed September 23, 2002.					
Attached are the following non-published pending					
patent applications which may be deemed relevant, which are					
listed on the attached Submission Under MPEP 609 D.					
Please charge any deficiency or credit any overpayment to					
Deposit Account No. 10-0750/CRD-903/CJE. This form is					
submitted in triplicate.					
Respectfully submitted,					
Carl J. Evens					
Reg. No. 33,874 Attorney for Applicants					
Accorney for Applicance					
Johnson & Johnson Plaza One Johnson & Johnson Plaza					
New Brunswick, NJ 08933-7003					
(732) 524-2518 DATED: 7/17/⁰³					
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(Signature)

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Commissioner for Patents Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. $\S 1.97(e)$, certification is hereby made that:

Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

No item of information contained in the Information

Disclosure Statement was cited in a communication from a foreign

patent office in a counterpart foreign application, and, to the

knowledge of the undersigned after making reasonable inquiry, no item

of information contained in this Information Disclosure Statement, was known to any individual designated in $\S1.56$ (c) more than three months prior to the filing of this Information Disclosure Statement.

Carl J. Evens Reg. No. 33,874

Attorney for Applicants

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One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2518
DATED: 7/17/03

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PTO/SB/08A (08-00)
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 1

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Application Number	10/041,124
Filing Date	January 8, 2002
First Named Inventor	Frank Butaric
Group Art Unit	3738
Examiner Name	C. L. Miller
Attorney Docket Number	CRD-903

			U.S. PATENT DOCUMENTS		
Cite	U.S. Patent Docu	Kind Code ²	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant passages or relevant figures appear
NO.		,		Пип-сс-уууу	
	6129746	Α	Keith	10-10-2000	
	6102940	Α	Robichon	08-15-2000	
	2001/014823	A1	Petrick	08-16-2001	
				REC	EIVFD
				JUL 9	5 2000
				TEOL	J 2003
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	Cite No.1	Cite No.1 Number 6129746 6102940	No.¹ Number (if known) 6129746 A 6102940 A	Cite No.1 Number (if known) Number A Keith 6129746 A Robichon	Cite No.1 Number Kind Code ² Number (if known) Name of Patentee or Applicant of Cited Document mm-dd-yyyy 6129746 A Keith 10-10-2000 6102940 A Robichon 08-15-2000

FOREIGN PATENT DOCUMENTS Date of Publication Foreign Patent Document Pages, Columns, Lines, of Cited Document where relevant Name of Patentee or passages or relevant Examiner Cite T⁶ mm-dd-yyyy Applicant of Cited Document figures appear Initials KindCode⁵ Office³ Number⁴ No.1 03-28-2001 EP 1 086 665 Cordis Corporation 97 33532 09-18-1997 wo Α Medtronic, Inc. 01 74270 10-11-2001 Teramed Inc.

Examiner	Date	
Signature	Considered	
		<u> </u>

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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SUBMISSION UNDER MPEP 609 D

Application Number 10/041,124
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First Named Inventor Frank Butaric
Group Art Unit 3738
Examiner Name C. L. Miller
Attorney Docket Number CRD-903

Page 1 of 1

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<i>,</i>			U.S. Patent Docum	nent	Pages, Columns, Lines,
Examiner Initials	Cite No. ¹	Name of Patentee or Applicant of Cited Document	Number	Kind Code ² (if known)	where relevant passages or relevant figures appear
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FOREIGN PATENT DOCUMENTS

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Examiner Initials	Cite	Name of Patentee or Applicant of Cited Document	Foreign Pa	ntent Docume	nt KindCode⁵	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
					 		
				ļ <u>-</u>			
	<u> </u>	OTHER PRIOR ART - NO					
Examiner 's Initials*	Cite No.1 Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T²			
		Partial European Search Report EP 03250103 dated 05-21-2003					
		Partial European Search Report EP 03250109 dated 06-13-2003 which corresponds to related US Patent 10/041369					
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Examiner	Date	
Signature	Considered	